

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JATIEK SMITH, ET AL.

Defendants.

22-cr-352 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

Following full briefing, an all-defendant conference on 3/7/23 and supplemental briefing as to Jatiek Smith's motion to suppress, the Court hereby denies: (1) defendant Sequan Jackson's motion to suppress evidence obtained from Title III wiretaps of his and co-defendant Jatiek Smith's phone (Dkt. 138); (2) defendants Damon Dore and Rahmiek Lacewell's<sup>1</sup> motion to sever their trial from co-defendant Jatiek Smith's trial (Dkt. 142); and (3) defendant Jatiek Smith's motion to suppress the results of a search of his phone and to dismiss the indictment against him (Dkt. 158). The Clerk is directed to close these motions on the docket. An opinion explaining the rationale for denying these motions will issue in due course.<sup>2</sup>

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<sup>1</sup> This motion was originally jointly filed by defendants Anthony McGee and Kaheen Small, who have since entered guilty pleas. See Minute entries dated 3/6/23 and 3/7/23. This motion was also initially joined by defendant Sequan Jackson, although he has since withdrawn from this motion. See Letter dated 3/2/23, Dkt. 169.

<sup>2</sup> Several defendants also filed motions in limine arguing for the exclusion of evidence of gang affiliation (Dkt. 145), of certain cell site evidence (Dkt. 148), and for motion for advance notice of materials to be offered under Federal Rules of Evidence 404(b) and 801(d)(2)(E) (Dkt. 149). Since filing, the parties requested the opportunity to delay any consideration of motions in limine, so

SO ORDERED.

New York, NY  
March 16 2023

  
JED S. RAKOFF, U.S.D.J.

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defendants could file further motions in limine or refile these motions by 3/31/23 and the Government respond by 4/14/23. See Minute Entry dated 2/23/23. As such, the Court expresses no view on these motions at the present juncture.